

SENATE No. 1880

The Commonwealth of Massachusetts

PRESENTED BY:

Baddour, Steven (SEN)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relative to Identification Cards.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Baddour, Steven (SEN)	First Essex
Patricia D. Jehlen	Second Middlesex
Anthony W. Petrucci	First Suffolk and Middlesex
Thomas M. McGee	Third Essex and Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO IDENTIFICATION CARDS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 8E of Chapter 90, of the Massachusetts General Laws, as so
2 appearing, is hereby amended by inserting after the last sentence the following new paragraph:-

3 An identification card or any renewal thereof issued to an applicant shall expire on an
4 anniversary of the operator's date of birth occurring more than twelve months but not more than
5 sixty months after the effective date of such identification card. An identification card for any
6 applicant under twenty one shall expire on the twenty first birthday of such an applicant. An
7 identification card issued to an applicant born on February twenty-ninth shall, for the purpose of
8 this section, expire on March first.

9 SECTION 2. Section 34B of Chapter 138, of the Massachusetts General Laws, as so
10 appearing, is hereby amended by striking paragraph one and paragraph two and inserting in place
11 thereof the following paragraph:-

12 Any licensee, or agent or employee thereof, under Chapter 138 of the Massachusetts
13 General Laws, who reasonably relies on such an identification issued pursuant to section eight of
14 chapter ninety, or on a valid passport issued by the United States government, or by the

15 government, recognized by the United States government, of a foreign country, or a valid United
16 States issued military identification card, for proof of a person's identity and age shall not suffer
17 any modification, suspension, revocation or cancellation of such license, nor shall he suffer any
18 criminal liability, for delivering or selling alcohol or alcoholic beverages to a person under
19 twenty-one years of age. Any licensee, or agent or employee thereof, under Chapter 138, who
20 reasonably relies on such an identification card or motor vehicle license issued pursuant to said
21 section eight, for proof of a person's identity and age shall be presumed to have exercised due
22 care in making such delivery or sale of alcohol or alcoholic beverages to a person under twenty-
23 one years of age. Such presumption shall be rebuttable; provided, however, that nothing
24 contained herein shall affect the applicability of section sixty-nine.